

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 11159 of 2016
Date of decision: 31.05.2016

Kamla Rani

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. V.K. Shukla, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner claims release of pensionary benefits on account of retirement on 31.05.2015 alongwith interest @ 12% per annum.

It is the case of the petitioner that he retired as Safai Karamchari/Sweeper with respondent no. 3-Nagar Council, Baghapurana, District Moga on the above said date after attaining the age of 60 years. Her pension case had been processed and she has been paid the pension by respondent no. 4 but the other benefits of gratuity, GPF and leave encashment, which are required to be paid by respondent no. 3, are not being paid in spite of the fact that an year has gone by and even a notice of demand dated 29.04.2016 (Annexure P-1) has been served. Counsel further submits that he would be satisfied if the said demand notice is decided within a time bound frame.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of respondent nos. 1, 2 and 4. Copy of the writ petition has been supplied to

him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent no. 2 to ensure that action is taken by respondent no. 3 on demand notice dated 29.04.2016 (Annexure P-1) within a period of 2 months from the date of receipt of certified copy of the order. If there is no legal impediment, the same shall be paid to the petitioner within a period of 1 month thereafter. The said respondents shall also ensure that the liability to pay the interest element due to the delay in disbursement is also decided in view of the Full Bench judgment of this Court in ***A.S.Randhawa Vs. State of Punjab & others 1997 (3) SCT 468.*** Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

31.05.2016
shivani

(G.S. SANDHAWALIA)
JUDGE